THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.26882 of 2007

ORAL ORDER:

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This writ petition is filed seeking a Mandamus declaring the action of the respondents in retiring the petitioner from service prematurely vide impugned proceedings dated 27.11.2007 without providing alternative employment, as arbitrary, illegal and contrary to the provisions of Section 47 of Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995.

It appears that in the periodical medical check up conducted by respondents, petitioner was declared as unfit to hold the post of Driver due to defective eye vision, therefore, impugned order dated 27.11.2007 was passed retiring the petitioner compulsorily. According to the petitioner, the impugned order is arbitrary and illegal. He is entitled for alternative employment as contemplated under the provisions of Section 47 of the Act.

Under those circumstances, the respondents are directed to consider for providing alternative suitable employment to the petitioner as per the provisions of Section 47 of Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

The writ petition is accordingly disposed of. No order as to costs.

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C.V.RAMULU,
J

Date: 14.12.2007
DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.26882 of 2007

14.12.2007

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.26882 of 2007

Date: 14th December, 2007

Between:

P.V.Rao

.. Petitioner

And

APSRTC, rep. by its Vice Chairman and
Managing Director, Musheerabad,
Hyderabad & others.

.. Respondents